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Testimony Before the District of Columbia Council
Committee on Health and Committee on Facilities and Family Services
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Public Hearing:
Bill B25-0500, Alternative Restorative Therapy Options for Youth
Amendment Act of 2023 and Mental Health in the Child Welfare System

Children's Law Center
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Good morning, my name is William Cox and I am a staff attorney with Children's Law Center. Children's Law Center believes every child should grow up with a strong foundation of family, health and education and live in a world free from poverty, trauma, racism, and other forms of oppression. Each year, our attorneys serve as guardians *ad litem* for several hundred children in foster care and protective supervision – more than half of all children in the care and custody of the Child and Family Services Agency (CFSA).ⁱ I am one of those attorneys – representing children as guardian *ad litem* for over three years.

Thank you for the opportunity to testify about the unmet behavioral health needs of the District's foster children and their families. Today I'm here to share a story that unfortunately has become all too common for the foster youth of DC.

This story is about one of the children our organization has worked with, who I will refer to as Alex to maintain confidentiality. Alex is a middle school student whose life was turned upside down when they were removed from their mother and placed in foster care more than one year ago. While removal of a child from their home is always an unfortunate and traumatic experience, the government and I were initially optimistic that Alex could be reunified with their mother relatively quickly as the primary issue was escalating conflict between Alex and their mother. It was clear to all involved that the most important intervention needed to heal this family was therapy, especially family therapy. To their credit, within the first 30 days of Alex's removal, the agency made

referrals for individual therapy, family therapy, and Community Based Intervention (CBI). However, Alex was initially connected to a core service agency that didn't offer family therapy or Community Based Intervention services. It took over five months to connect them to an individual therapist. Less than a month later after finally having a therapist, Alex was abruptly switched to a new core service agency, requiring a new intake appointment, and another waitlist for individual therapy. To make matters worse, this new agency – once again - didn't offer any family therapy or Community Based Intervention services.

There were also significant barriers getting Alex's mother connected to mental health services. While getting the child services should always be a priority, it is often just as important, if not more so, to get the parent connected to mental health services and provide the coping skills needed to keep the family together. Unfortunately, in a pattern I have seen time and time again, even when there aren't months-long waitlists, the majority of therapy providers are only available Monday to Friday from 9am-5pm. While that may be feasible for some, there are countless parents, including Alex's, who are single parents with multiple children, working a minimum wage job as the only source of income for their entire family. While one-two hours of therapy per week may not seem like much, there are few employers willing to tolerate that much time off weekly. Like many parents, Alex's mother can't afford to risk the only income she has to feed her family.

Today, Alex's case has been open for over year, and they still haven't been provided with either family therapy or CBI. As a result, Alex has had to go through crisis after crisis without any mental health services and bounced between more than five foster homes in the first few months after removal.

What is even more tragic is that this failure to get Alex the mental health services they and their mother desperately needed has now caused irreparable harm to the family and the possibility of reunification. Despite our best efforts in the absence of family therapy, Alex has had multiple emergency psychiatric holds, they've gone through an unsuccessful attempt at protective supervision with their mother that ended with another removal from their home by the agency, and now the relationship between Alex and their mother has deteriorated to the point that the agency is now contemplating a request to pursue adoption.

There is almost no doubt that if this family had been connected to family therapy from the very beginning, Alex could have safely returned home within the first six months. Instead, it is now more likely that this family will be permanently ripped apart.

Not knowing how to help a family in crisis is frustrating. But what is absolutely infuriating is knowing exactly what is needed, yet not being able to provide it. The mental health resources available to DC foster youth and their families are grossly inadequate. We can and we must do better.

¹ Children’s Law Center attorneys represent children who are the subject of abuse and neglect cases in DC’s Family Court. CLC attorneys fight to find safe homes and ensure that children receive the services they need to overcome the trauma that first brought them into the child welfare system. DC Children’s Law Center, Who We Are, available at: <https://childrenslawcenter.org/who-we-are/>. The term “protective supervision” means a legal status created by Division order in neglect cases whereby a minor is permitted to remain in his home under supervision, subject to return to the Division during the period of protective supervision. D.C. Code § 16-2301(19).